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KING COUNTY
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CASE #: 23-2-01190-2 KNT

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

CHARLOTTE ROSTED, an individual,

Plaintiff,

v.

PORT OF SEATTLE, a municipal corporation
doing business in the State of Washington,

Defendant.

No.

COMPLAINT FOR PERSONAL INJURIES
AND DAMAGES

COME NOW Plaintiff, by and through her attorneys, Becker Franklin Rovang, PLLC, and
allege as a complaint against the above-captioned Defendant as follows:

I. JURISDICTION AND VENUE

1.1 The above-entitled Court has jurisdiction over this matter.

1.2 Venue is proper for all claims raised herein.

II. PARTIES

2.1 Plaintiff was a resident of Hawaii County, State of Hawaii, at all times material hereto.

2.2 Defendant PORT OF SEATTLE was a municipal corporation doing business in King
County, State of Washington.

III. FACTS

3.1 On December 31, 2019, Plaintiff was a passenger on an escalator at Seattle-Tacoma International Airport ("SEA-TAC").

3.2. When Plaintiff CHARLOTTE ROSTED reached the end of the escalator she prepared to step off. As she moved from the end of the escalator to the floor, part of her shoe or clothing was caught in the escalator mechanism.

3.3 Plaintiff CHARLOTTE ROSTED fell to the ground, causing her to suffer injuries that included facial contusions, a concussion, and a dislocated left clavicle.

3.4 The escalator was owned and operated by Defendant, which operated the structure known as Seattle-Tacoma International Airport (SEA-TAC), located in King County, Washington.

3.5 Plaintiff properly filed a tort claim for damages with Defendant.

3.6 Defendant received Plaintiff's tort claim on November 14, 2022.

3.7 60 days have passed prior to filing this lawsuit against Defendant.

IV. NEGLIGENCE

4.1 Defendant, as a common carrier, owed their escalator passengers, including Plaintiff, the highest duty of care for safety.

4.2 Defendant breached this duty of care by:

- a. Failing to properly install the escalators;
- b. Failing to make a reasonable inspection of the escalators for defects, thereby rendering them unsafe;
- c. Failing to maintain its escalators free from defects which it knew or should have known existed at the time of Plaintiff's injuries;
- d. Failing to properly repair and correct escalator defects, which defendant knew or should

1 have known existed at the time of Plaintiff's injuries;

2 e. Failing to adequately warn escalator users of the escalator's defects, which Defendant
3 knew or should have known existed at the time of Plaintiff's injuries; and

4 f. Failing to take the escalator out of use while it was operating in an unsafe manner.

5 4.3 Defendant's negligence proximately caused Plaintiff's injuries.

6 4.4 Plaintiff was exercising ordinary care at the time and could not have reasonably
7 contemplated the negligence of Defendant, and therefore Defendant is liable for Plaintiff's
8 injuries and damages resulting from the December 31, 2019 incident described above.

9 V. PRAYER FOR RELIEF

10 WHEREFORE Plaintiff seeks the following relief and prays for judgment against Defendant as
11 follows:

- 12 a) For a judgment of liability against Defendant for the tortious conduct described herein;
13 b) For a full award of economic and non-economic damages suffered by Plaintiff;
14 c) For an award of taxable costs;
15 d) For an award of reasonable attorneys' fees;
16 e) For pre-judgment interest on such economic and non-economic damages as the law
17 allows, at the maximum allowable rate; and
18 d) For such other and further relief as the Court deems just and equitable.

19 DATED this 19th day of January, 2023.

20 BECKER FRANKLIN ROVANG, PLLC

21 
22 JOHN C. KAUFFMAN, WSBA #46261
23 Of Attorneys for Plaintiffs